

## MINUTES

CASE NUMBER: 1:22-cv-00064-JAO-KJM

CASE NAME: Green Mountain Mycosystems LLC v. Raied J. Alfouadi et al.

ATTY'S FOR PLA: \*Glenn Katon  
Ryan Mitsuo Toyomura

ATTY'S FOR DEFT: Brent Kahanaumaikai Wilson  
\*James V. Myhre

---

JUDGE: Jill A. Otake

REPORTER: Cynthia Fazio

DATE: 09/02/2025

TIME: 10:00am-11:05am

---

COURT ACTION: EP: Hearing on Various Motions re: [198], [199], [200], [201], [202] and [203] and Final Pretrial Conference was held.

Court's rulings on the motions in limine are made without prejudice.

[198] Defendant Raied J. Alfouadi's Motion in Limine No. 2 [Re: To Exclude Plaintiffs' Expert Witness Sebastiaan Coppes' Testimony and Evidence Regarding Environmental Salvage Damages] – GRANTED.

[199] Defendant Raied J. Alfouadi's Motion in Limine No. 3 [Re: Exclusion of Defendant's Prior Criminal Citations, Wrongs, and/or Alleged Bad Acts] – GRANTED WITHOUT OBJECTION.

[200] Defendant Raied J. Alfouadi's Motion in Limine No. 4 [Re: To Exclude Mr. Demarest's Testimony and Evidence as to The Depreciation of Vehicles, Tools, and/or Materials Used During Salvage Operations] – GRANTED WITHOUT OBJECTION.

[201] Defendant Raied J. Alfouadi's Motion in Limine No. 5 [Re: To Preclude Plaintiff's Expert Sebastiaan Coppes from Presenting Evidence or Testimony Regarding Depreciation Damages] – GRANTED WITHOUT OBJECTION.

[202] Defendant Raied J. Alfouadi's Motion in Limine No. 6 [Re: To Exclude Plaintiff's Expert Sebastiaan Coppes' Testimony Regarding U.S. Coast Guard Basic Order Agreement Rates] – TAKEN UNDER ADVISEMENT. Plaintiffs shall submit supplemental briefing, not to exceed five pages, addressing the interplay between the SCOPIC and BOA rates and the non-contract based claims by noon on 9/3/2025. Defendants may file a response, also limited to five pages, by noon on 9/5/2025.

[203] Defendant Raied J. Alfouadi's Motion in Limine No. 7 [Re: To Preclude Plaintiff from Offering Evidence or Argument Relating to Unpled Theories of Contractual or Equitable Standing] – GRANTED.

### **FINAL PRETRIAL CONFERENCE**

#### **Witnesses:**

After meeting and conferring with defense counsel, the Court DIRECTS Plaintiff's counsel to file a status report no later than 5:00 p.m. on 9/4/2025

#### **Exhibits:**

The parties are continuing discussions regarding stipulations and objections to the exhibits, which are expected to be resolved by the end of this week.

#### **Findings of Fact and Conclusions of Law (FOF and COL):**

Court hereby vacates the existing deadline, which shall be reset by subsequent order.

#### **Trial Timing and Rules:**

Plaintiff and Defendant shall each have two and a half days to present their case. The non-jury trial will be held daily from 8:30 a.m. to 4:30 p.m., with a lunch break from noon to 1:30 p.m., and occasional shorter breaks for stretching and to accommodate the court reporter.

#### **Opening Statements and Closing Arguments:**

Each party will have ten minutes for opening statements. Closing arguments shall be submitted in writing a few days after the transcript becomes available, on a date to be determined by the Court.

#### **Settlement:**

Parties are directed to notify Judge Mansfield promptly if a settlement becomes unexpectedly possible.

#### **Expert Opinion Briefing:**

Plaintiffs shall file a brief setting forth their objections to the defense expert opinion by 9/5/2025, response is due by 9/9/2025. Page limits shall be consistent with those applicable to motions in limine.

Court to issue an entering order with instructions regarding witnesses and clarifying exhibit procedures.

Bench Trial will be held from 9/15/2025 until 9/19/2025 and conducted from 8:30 a.m. to 4:30 p.m. before JUDGE JILL A. OTAKE.

Submitted by: Carla Cortez, Courtroom Manager